



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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DA 10-157  
January 28, 2010

## MEDIA BUREAU ACTION

### MEDIA BUREAU SEEKS COMMENT ON PETITION FOR DECLARATORY RULING THAT RULES OF A CONDOMINIUM ASSOCIATION IN NASHVILLE, TENNESSEE ARE PREEMPTED BY THE COMMISSION'S OVER-THE-AIR RECEPTION DEVICES RULE

CSR-8272-O

**Responses due: March 1, 2010**

**Replies due: March 16, 2010**

Craig Wirth (Petitioner) has filed a Petition for Declaratory Ruling asking the Commission to determine whether antenna installation rules of the Nashville Westchester LLC Condominium Homeowners Association ("Association") are preempted by Section 1.4000 of the Commission's rules (Over-the-Air Reception Devices Rule). The Association's rules prohibit installation of any antenna outside a condominium unit. This Public Notice announces the pleading cycle for this Petition during which responses and replies may be filed.

This proceeding will be treated as "permit but disclose" for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. As a result of the permit-but-disclose status of this proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings.<sup>1</sup>

Parties may file responses to the Petition on or before March 1, 2010 and replies on or before March 16, 2010. Please place the case identifier, **CSR-8272-O**, on all filings. One copy of responses, replies, or other communications must be served on all participants in the case.

Parties must file an original and two copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. All hand deliveries must be held together

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<sup>1</sup> 47 C.F.R. § 1.1206.

with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8:00 a.m. to 7:00 p.m.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

One copy of each pleading must be sent to Kenneth Lewis, Media Bureau, Room 4-A848, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554.

Copies of the Petition and any subsequently filed documents in this matter are also available for inspection in the Commission's Reference Information Center:

445 12<sup>th</sup> Street, S.W., CY-Level  
Washington, D.C. 20554  
(202) 418-0270

Alternate formats of this Public Notice (computer diskette, large print, audio recording, or Braille) are available to persons with disabilities by contacting the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-7365 (TTY).

For further information, contact Kenneth Lewis of the Media Bureau, (202) 418-2622. Press inquiries should be directed to Janice Wise (202) 418-8165.

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